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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

LORI IRISH, et al.,

Plaintiffs,

v.

NATIONAL LABOR RELATIONS
BOARD, et al.,

Defendants.

2:10-CV-892 JCM (PAL)

ORDER

Presently before the court is plaintiff's motion for this court to reconsider its prior order dismissing the case and denying plaintiff leave to amend. (Doc. #23).

Motions for reconsideration "should not be granted, absent highly unusual circumstances." *Kona Enters., Inc. v. Estate of Bishop*, 229 F.3d 877, 890 (9th Cir. 2000). These circumstances are present where "the district court is presented with newly discovered evidence, committed clear error, or if there is an intervening change in the controlling law." *Id.* Plaintiffs' motion fails to persuade this court that any of these circumstances exist in the present case.

Plaintiff contends that she was unaware of the local requirement that her motion seeking leave to amend be accompanied by the proposed, amended complaint. *See* Local Rule 15-1(a). She has since provided the court with a copy of the proposed amended complaint. The proposed, amended complaint does not materially differ from the original complaint such that Magistrate Judge Leen's screening order is not equally applicable to the proposed, amended complaint. As such, the

1 proposed amendments are futile, and denial of the instant motion is appropriate. *See Foman v.*
2 *Davis*, 371 U.S. 178, 182 (1962) (explaining that leave to amend should be denied where the
3 amendments are futile).

4 Accordingly,

5 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED, that plaintiff's motion for
6 reconsideration (doc. #23) be, and the same hereby is, DENIED.

7 DATED March 19, 2012.

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9 
10 UNITED STATES DISTRICT JUDGE